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APPLICATION NO.	F	LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,311	01/14/2004		Gregory R. Hauler	LAC03 P328	3581
277	7590 03/20/2006 EXAMINER				INER
PRICE HEN 695 KENMO		COOPER DEWI	STORMER,	STORMER, RUSSELL D	
P O BOX 256	•			ART UNIT	PAPER NUMBER
GRAND RAI	PIDS, MI	49501		3617	

DATE MAILED: 03/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)				
		10/757,311	HAULER, GREGORY R.				
O	Office Action Summary	Examiner	Art Unit				
		Russell D. Stormer	3617				
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply							
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).							
Status							
1)⊠ Resp	consive to communication(s) filed on <u>Ja</u>	anury 9, 2006.					
2a)⊠ This	This action is FINAL . 2b) This action is non-final.						
3)☐ Since	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is						
close	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims							
4)⊠ Clair	4)⊠ Claim(s) <u>1-48</u> is/are pending in the application.						
4a) C	4a) Of the above claim(s) 2-16,18-32 and 34-48 is/are withdrawn from consideration.						
5) Claim(s) is/are allowed.							
6)⊠ Clair	6)⊠ Claim(s) <u>1, 17, 33</u> is/are rejected.						
	Claim(s) is/are objected to.						
8)∐ Clair	m(s) are subject to restriction and	d/or election requirement.					
Application Papers							
9) <u></u> The s	specification is objected to by the Exam	iner.	·				
10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.							
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).							
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.							
Priority under	35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of:							
´— 1.□	1. Certified copies of the priority documents have been received.						
2. Certified copies of the priority documents have been received in Application No							
3. Copies of the certified copies of the priority documents have been received in this National Stage							
application from the International Bureau (PCT Rule 17.2(a)).							
* See the attached detailed Office action for a list of the certified copies not received.							
Attachment(s)							
	eferences Cited (PTO-892)	4) Interview Summary					
	raftsperson's Patent Drawing Review (PTO-948)		ate Patent Application (PTO-152)				
	Disclosure Statement(s) (PTO-1449 or PTO/SB/)/Mail Date	6) Other:	and the same of the same				

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Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 17, and 33 are rejected under 35 U.S.C. 102(e) as being anticipated by Allen.

Allen (previously cited; newly applied) discloses a wheel cover assembly comprising a cover body, a plurality of elongated tubular extensions 266 extending from the inner surface of the cover body, and a plurality of connector members 290 snappably coupled to the distal ends of the extensions. See figure 5. The barb 280 includes an end wall (unlabelled) which is abutted by a portion of the connector member. The inner surface of the connector member 290 further includes an irregularity in the form of a chamfered surface (unlabelled) which contacts the lug nut to coupe with the vehicle wheel as shown in figure 5.

As measured from the axially inward tip of the barb 280, it is clear that a majority of the connector member 290 extends axially inwardly from the extension.

3. Applicant's arguments with respect to claims 1, 17, and 33 have been considered but are most in view of the new grounds of rejection.

The limitation of a majority of the connector member extending axially inward from the extension necessitated the use of Allen.

The definition of the term "irregularity" provided by Applicant is noted. The chamfered opening in the connector 290 of Allen extends along the length of the inner surface of the opening and is considered to be an irregularity since the opening is not even or symmetrical.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later

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than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Russell D. Stormer whose telephone number is (571)

272-6687. The examiner can normally be reached on Monday through Friday, 9 AM to

4 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joe Morano can be reached on (571) 272-6684. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

3/13/06

RUSSELL D. STORMER -

PRIMARY FXAMINER.